

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 2/13/15

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

CALEDONIAN BANK LTD.,
CALEDONIAN SECURITIES LTD.,
CLEAR WATER SECURITIES, INC.,
LEGACY GLOBAL MARKETS S.A., and
VERDMONT CAPITAL, S.A.

Defendants.

(WHP)
15 Civ. 894 (WJP)
Application to further modify the
temporary restraining order is granted.

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J. 2/13/15

**EXTENDED STIPULATED AND CONSENTED MODIFICATIONS
TO THE TEMPORARY RESTRAINING ORDER
ENTERED ON FEBRUARY 6, 2015**

Plaintiff Securities and Exchange Commission (the "Commission") and Defendants Caledonian Bank Ltd. ("Caledonian Bank"), Caledonian Securities Ltd. ("Caledonian Securities") and Verdmont Capital, S.A. ("Verdmont")(collectively, the "Defendants"), in consideration of the severe losses that the clients and customers of the Defendants may incur if such clients or customers are not allowed to order transactions in the normal course of business in certain brokerage and financial institution accounts maintained by the Defendants in the United States and which have been frozen pursuant to the Court's Temporary Restraining Order entered on February 6, 2015, and being cognizant of the Commission's interest in preserving assets in the United States so that such assets will be available to satisfy any final judgment that may be entered in this action in the Commission's favor, the Commission and the Defendants hereby stipulate and consent to the following modifications to the Temporary Restraining Order. The entry of this Stipulation is without prejudice to the Commission moving in the future for

additional temporary or preliminary relief, to the Defendants opposing the preliminary injunction being sought by the Commission, or to further stipulations agreed to by the Commission and the Defendants. No issue of fact is finally resolved by the entry of this stipulation. With these understandings, the Commission and the Defendants stipulate, agree and consent to the following modifications of the Temporary Restraining Order (the "Modifications"):

1. The Commission and the Defendants, if they choose and agree, may enter into extensions of these Modifications, into other stipulations as they deem necessary for their protection, or to a stipulated preliminary injunction.

2. With respect to Verdmont:

- a. A minimum balance in the amount of \$19,000,000 shall be maintained in account number xxxx7221, in the name of Verdmont, at Interactive Brokers LLC in Greenwich, Connecticut. No direct or indirect assignment, changing, concealment, conversion, disposition, dissipation, encumbrance, hypothecation, pledge, sale, transfer, wasting, withdrawal or other disposal whatsoever of assets or funds or securities from account number xxxx7221 shall be allowed or made if such an action would reduce the account balance below the \$19,000,000 minimum balance, and no such action shall be allowed or made in the event that the account balance is below the \$19,000,000 minimum balance. So long as the \$19,000,000 minimum balance is maintained, assignments, conversions, dispositions, encumbrances, sales, transfers or withdrawals of assets or funds or securities in the normal course of business shall be allowed pursuant to the orders of clients or customers of Verdmont.

Dated: February 13, 2015

Respectfully submitted,

/s/ Sigal P. Mandelker

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Capital, S.A.

SO ORDERED.

DATE:

UNITED STATES DISTRICT JUDGE